

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES EDWARD WHITE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05cv895-T
)	(WO)
MONTGOMERY CITY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On September 30, 2005, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge which is hereby adopted, it is

ORDERED and ADJUDGED as follows:

1. The plaintiff's claims against the Montgomery City Jail be and are hereby dismissed prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i);
2. The Montgomery City Jail be and is dismissed as a defendant in this cause of action;
3. This case, with respect to the plaintiff's claims against defendants Bender,

Johnson, Green, Scott and McKenzie be and are hereby REFERRED BACK to the Magistrate Judge for further proceedings.

Done this the 28th day of October 2005.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE